

108TH CONGRESS
2D SESSION

H. R. 5185

To temporarily extend the programs under the Higher Education Act of
1965.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 2004

Mr. BOEHNER (for himself and Mr. McKEON) introduced the following bill;
which was referred to the Committee on Education and the Workforce

A BILL

To temporarily extend the programs under the Higher
Education Act of 1965.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Higher Education Ex-
5 tension Act of 2004”.

6 **SEC. 2. EXTENSION OF PROGRAMS.**

7 (a) EXTENSION OF DURATION TO INCLUDE FISCAL
8 YEAR 2005.—The authorization of appropriations for, and
9 the duration of, each program authorized under the High-

1 er Education Act of 1965 (20 U.S.C. 1001 et seq.) shall
2 be extended through fiscal year 2005.

3 (b) PERFORMANCE OF REQUIRED AND AUTHORIZED
4 FUNCTIONS.—If the Secretary of Education, a State, an
5 institution of higher education, a guaranty agency, a lend-
6 er, or another person or entity—

7 (1) is required, in or for fiscal year 2004, to
8 carry out certain acts or make certain determina-
9 tions or payments under a program under the High-
10 er Education Act of 1965, such acts, determinations,
11 or payments shall be required to be carried out,
12 made, or continued during the period of the exten-
13 sion under this section; or

14 (2) is permitted or authorized, in or for fiscal
15 year 2004, to carry out certain acts or make certain
16 determinations or payments under a program under
17 the Higher Education Act of 1965, such acts, deter-
18 minations, or payments are permitted or authorized
19 to be carried out, made, or continued during the pe-
20 riod of the extension under this section.

21 (c) EXTENSION AT CURRENT LEVELS.—The amount
22 authorized to be appropriated for a program described in
23 subsection (a) during the period of extension under this
24 section shall be the amount authorized to be appropriated
25 for such program for fiscal year 2004, or the amount ap-

1 appropriated for such program for such fiscal year, which-
2 ever is greater. The amount of any payment required or
3 authorized under subsection (b) in or for fiscal year 2005
4 shall be determined in the same manner as the amount
5 of the corresponding payment required or authorized in
6 or for fiscal year 2004.

7 (d) ADVISORY COMMITTEES AND OTHER ENTITIES
8 CONTINUED.—Any advisory committee, interagency orga-
9 nization, or other entity that was, during fiscal year 2004,
10 authorized or required to perform any function under the
11 Higher Education Act of 1965 (20 U.S.C. 1001 et seq.),
12 or in relation to programs under that Act, shall continue
13 to exist and is authorized or required, respectively, to per-
14 form such function during fiscal year 2005.

15 (e) ADDITIONAL EXTENSION NOT PERMITTED.—Sec-
16 tion 422 of the General Education Provisions Act (20
17 U.S.C. 1226a) shall not apply to further extend the au-
18 thorization of appropriations for any program described
19 in subsection (a) on the basis of the extension of such pro-
20 gram under this section.

21 (f) EXCEPTION.—The programs described in sub-
22 section (a) for which the authorization of appropriations,
23 or the duration of which, is extended by this section in-
24 clude provisions applicable to institutions in, and students
25 in or from, the Freely Associated States, except that those

1 provisions shall be applicable with respect to institutions
2 in, and students in or from, the Federated States of Mi-
3 cronesia and the Republic of the Marshall Islands only to
4 the extent specified in Public Law 108–188.

